

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOEY SHANE PROPER, #741317 §
VS. § CIVIL ACTION NO. 4:12cv674
DIRECTOR, TDCJ-CID § *Consolidated with*
§ CIVIL ACTION NO. 4:12cv678

ORDER OF DISMISSAL

The above-entitled and numbered civil action was referred to United States Magistrate Judge Amos L. Mazzant. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts the same as the findings and conclusions of the Court. It is therefore

ORDERED that the petition for a writ of habeas corpus is **DISMISSED** without prejudice. A certificate of appealability is **DENIED**. It is further

ORDERED that all motions by either party not previously ruled on are hereby **DENIED**.

So ORDERED and SIGNED this 10 day of April, 2013.

Ron Clark

Ron Clark, United States District Judge